



Facsimile Transmission

222 East 41st Street • New York, NY 10017-6702 • 212/326-3939
Facsimile: 212/755-7306

Please hand deliver the following facsimile to:

**RECEIVED
CENTRAL FAX CENTER**

MAY 27 2004

OFFICIAL

TO: Examiner Humera Sheikh DATE: 05/26/04
COMPANY: United States Patent and Trademark Office
FAX: 1-703-872-9306 PAGES: Cover Plus 13
FROM: Jeffrey M. Chamberlain PHONE: 212-326-3901
RE: Response After Final Office Action

NOTICE: This communication is intended to be confidential to the person to whom it is addressed, and it is subject to copyright protection. If you are not the intended recipient or the agent of the intended recipient or if you are unable to deliver this communication to the intended recipient, please do not read, copy or use this communication or show it to any other person, but notify the sender immediately by telephone at the direct dial number noted above.

Message:

Please See Attached

Please call the sender immediately if the facsimile you receive is incomplete or illegible.

ATLANTA • BEIJING • BRUSSELS • CHICAGO • CLEVELAND • COLUMBUS • DALLAS • FRANKFURT • HONG KONG
HOUSTON • IRVINE • LONDON • LOS ANGELES • MADRID • MENLO PARK • MILAN • MUNICH • NEW DELHI • NEW YORK
PARIS • PITTSBURGH • SAN FRANCISCO • SHANGHAI • SINGAPORE • SYDNEY • TAIPEI • TOKYO • WASHINGTON

**Facsimile Transmission**

222 EAST 41ST STREET • NEW YORK, NEW YORK 10017 • (212) 326-3939
Facsimile: (212) 755-7306
jchamberlain@jonesday.com

May 26, 2004

Please hand deliver the following facsimile to:

Name/Company:
Examiner Sheikh, Humera N.
United States Patent and Trademark Office
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Facsimile Number: 703-872-9306
Telephone Number: 571-272-0604

☐ **Copies distributed** Operator's InitialsFrom: **Jeffrey M. Chamberlain**

Direct Telephone No.: (212) 790-6393
Direct Facsimile No.: (212) 699-0285
CAM No.: 708716-999147

JP No.: **006594**

Send copies to:

Number of pages (including this page): 13

Re: United States Patent Application No. 09/801,752
Inventors: Schmidmaier, et al.
Filed: March 9, 2001
Entitled: BIOLOGICALLY ACTIVE IMPLANTS
Confirmation No. 8071
Art Unit: 1615
Attorney Docket No. 008932-148-999

NOTICE: This communication is intended to be confidential to the person to whom it is addressed, and it is subject to copyright protection. If you are not the intended recipient or the agent of the intended recipient or if you are unable to deliver this communication to the intended recipient, please do not read, copy or use this communication or show it to any other person, but notify the sender immediately by telephone at the direct telephone number noted above.

Message:**RESPONSE AFTER FINAL OFFICE ACTION**

Please call us immediately if the facsimile you receive is incomplete or illegible. Please ask for the facsimile operator.

NYID: 1526012.1

ATLANTA • BEIJING • BRUSSELS • CHICAGO • CLEVELAND • COLUMBUS • DALLAS • FRANKFURT • HONG KONG • HOUSTON
IRVINE • LONDON • LOS ANGELES • MADRID • MENLO PARK • MILAN • MUMBAI • MUNICH • NEW DELHI • NEW YORK
PARIS • PITTSBURGH • SAN FRANCISCO • SHANGHAI • SINGAPORE • SYDNEY • TAIPEI • TOKYO • WASHINGTON



Facsimile Transmission

222 EAST 41ST STREET • NEW YORK, NEW YORK 10017 • (212) 326-3939

Facsimile: (212) 755-7306

jchamberlain@jonesday.com

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the attached "Response After Final Office Action Pursuant to 37 U.S.C. 1.113 and 1.116" for Non-provisional application Ser. No. 09/801,752 entitled "BIOLOGICALLY ACTIVE IMPLANTS" is being filed with the United States Patent and Trademark Office by facsimile transmission on May 26, 2004 to facsimile telephone number 703-872-9306.


Jeffrey M. Chamberlain

May 26, 2004
Date

Please call us immediately if the facsimile you receive is incomplete or illegible. Please ask for the facsimile operator.

NYJD: 1526012.1

ATLANTA • BEIJING • BRUSSELS • CHICAGO • CLEVELAND • COLUMBUS • DALLAS • FRANKFURT • HONG KONG • HOUSTON
IRVINE • LONDON • LOS ANGELES • MADRID • MENLO PARK • MILAN • MUMBAI • MUNICH • NEW DELHI • NEW YORK
PARIS • PITTSBURGH • SAN FRANCISCO • SHANGHAI • SINGAPORE • SYDNEY • TAIPEI • TOKYO • WASHINGTON

**RECEIVED
CENTRAL FAX CENTER**

MAY 27 2004

OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: G. SCHMIDMAIER et al.

Confirmation No.: 8071

Application No.: 09/801,752

Group Art Unit: 1615

Filed: March 9, 2001

Examiner: Humera N. Sheikh

For: BIOLOGICALLY ACTIVE IMPLANTS

Attorney Docket No.: 8932-148

RESPONSE AFTER FINAL OFFICE ACTION PURSUANT

TO 37 U.S.C. §§ 1.113 AND 1.116

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450
Facsimile: (703) 872-9306

Sir:

In response to the Office Action mailed March 31, 2004, the following amendments and remarks are submitted for entry and consideration during the examination of the above-identified application.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 8 of this paper.

After entry of this amendment, the pending claims are claims 1 - 31. No fee is believed due with this response. However, if any fee is required, please charge such fees to Jones Day deposit account no. 50-3013.